

The Polynesian.

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EDWIN O. HALL, EDITOR.

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Advertisement.

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Transient advertisements are required to pay in advance.

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Plain and Fancy Book and Job Printing

—SUCH AS—
Pamphlets, Shop Bills, Catalogues, Bills of Exchange, Circulars, Bills of Lading, Handbills, Consular Blanks, Bill Heads, Blank Deeds, &c.
VISITING, BUSINESS AND ADDRESS CARDS
Executed with neatness and dispatch, on liberal terms.

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* Bills of Exchange on the United States and Europe
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General Commission Merchants,
T. P. EVERETT, HONOLULU, OAHU, H. I.
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Money advanced on favorable terms for Bills of Exchange on the United States, England and France.

MAKEE, ANTHON & CO.,

Commission Merchants & Ship Chandlers,
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JAMES MAKEE, HAWAIIAN ISLANDS.
CHAR. BREWER, JR., HONOLULU, OAHU, H. I.

* Ships supplied with Refreshments, Provisions, &c., on reasonable terms.

* Bills of Exchange on the United States and Europe, on favorable terms.

STARKEY, JANION & CO.,

Mechanics & Commission Agents,
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HONOLULU, OAHU, H. I.

B. F. BOLLES & CO.,

Ship Chandlers and General Merchandise,
LAHAINA, MAUI, H. I.

B. F. BOLLES, S. HOFFMEYER.
Ships supplied with recruits at the lowest Market Prices.

Money advanced on reasonable terms for Bills of Exchange on the United States and Europe.

C. W. VINCENT,

HOUSE CARPENTER AND JOINER,
HONOLULU, OAHU, H. I.

Having re-opened his shop, is now prepared to execute building and joining at short notice, and on the most reasonable terms.

BUSH & CO.,

Ship Chandlers and Commission Merchants,
LAHAINA, MAUI, H. I.

ALFRED W. BUSH, (HAWAIIAN ISLANDS.)
CHARLES P. ROBINSON, JR., HONOLULU, OAHU, H. I.

Ships supplied with recruits, in exchange for goods or cash.

* Money advanced, at the lowest rates, for Bills of Exchange on the United States or Europe.

C. P. SAMSON & CO.,

DEALERS IN CHINA GOODS,
HONOLULU, OAHU, H. I.

On hand and for sale, Sugar, Molasses, Tea and Coffee.

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(Opposite the residence of George Pelly, Esq.)
HONOLULU, OAHU, H. I.

* Jobbing done at the shortest notice and on the most reasonable terms.

CLARK & MCGOLGAN,

TAILORS,
On the premises adjoining Dr. Wood's,
HONOLULU, OAHU, H. I.

Garments cut and made to order in the latest styles.

NICHOLSON & HENDERSON,

Ship Chandlers and Commission Merchants,
HONOLULU, OAHU, H. I.

A large assortment of Broadcloths, Cassimeres, Vestings, Cashmeres and Linen Druggs, constantly on hand.

Garments made at short notice, in latest fashion.

F. RODRIGUEZ VIDA & CO.,

SHIP CHANDLERY AND PROVISIONS,
HONOLULU, OAHU, H. I.

Ships supplied with recruits at the lowest market price for Cash or Bills on the United States or Europe.

AUSTIN & BAILE,

DEALERS IN GENERAL MERCHANDISE,
HONOLULU, OAHU, H. I.

J. T. GOWER,

STEAM PLANTER,
And Dealer in General Merchandise,
MAKAWAO, MAUI, H. I.

SWAN & CLIFFORD,

Bakers & Dealers in General Merchandise,
HONOLULU, OAHU, H. I.

Jan. 12. 35-y

ULRICH ALTING,

Dealer in General Merchandise,
(At the Store formerly occupied by L. MONTGOMERY.)
HONOLULU, OAHU, H. I.

R. A. S. WOOD,

CABINET MAKER AND UPHOLSTERER,
HONOLULU, OAHU, H. I.

SEA & BARTOW,

Auction and Commission Merchants,
H. SEA, AUCTIONEER,
HONOLULU, OAHU, H. I.

THOMPSON & HOWE,

Auction & Commission Merchants,
(F. W. THOMPSON, AUCTIONEER.)
HONOLULU, OAHU, H. I.

JOHN BECK,

Commission Merchant,
And General Commercial & Shipping Agent,
May 27, 1850. Sm21 HONOLULU, Sandwich Is.

JOHN GAVIN,

Merchant and Auctioneer,
HONOLULU, OAHU, H. I.

Jan. 12. 35-y

EMPIRE CITY LINE.

NEW YORK THROUGH TICKETS.

THE ONLY DIRECT LINE OF STEAMSHIPS FOR PANAMA. Through tickets from San Francisco to New York, by way of Chagres and Panama. The splendid and popular steamships SARAH SANDS, 1,500 tons burthen, W. C. Thompson, Commander, and NEW ORLEANS, 1,100 tons burthen, J. W. Wood, Commander, will leave San Francisco for Panama, direct, connecting at Chagres, with the staunch and well known steamships CRESCENT CITY, 1,500 tons burthen, Chas. Stoddard, Commander, and EMPIRE CITY, 2,000 tons burthen, J. G. Wilson, Commander.

Rates of fare: San Francisco to Panama direct.

First Cabin, \$300

Second Cabin, 150

The Second Cabin has a separate table, and the berths are fully furnished with hair mattresses and bedding, and on board the Sarah Sands are state rooms, a great advantage in point of comfort, over the unfurnished bunks of an open steamer.

Chargers to New York.

After Saloons, \$125

Forward Saloons, 100

Lower Cabin, 90

All the above have the same table and privileges of the Saloons.

Storage, found with mattresses and board, 65

An experienced Surgeon is attached to each steamer.

The subscribers are now issuing through tickets to New York by the above named steamers.

EVERETT & CO.
Honolulu, May 15, 1850-1-y

HENRY ROBINSON & CO.,

Merchants and Commission Agents,
July 13-9-y HONOLULU, H. I.

GRAB & SPALDING,

Ship Chandlers and Commission Merchants,
HONOLULU, OAHU, H. I.

Constantly on hand a supply of ship stores and recruits suited to the wants of vessels visiting this port, and for sale at the lowest market prices, for cash or bills of exchange on the United States and Europe.

jan4-34-y

M. R. HARVEY & CO.,

HOUSE, SIGN, SHIP, COACH AND ORNAMENTAL PAINTERS,
Having re-opened the shop, on the premises of C. W. Vincent, is now prepared to execute all orders with neatness and dispatch, on the most reasonable terms.

Honolulu, March 28, 1850. 461f

CHARLES BREWER,

Commission Merchant,
Refer to MAKEE, ANTHON & CO.
R. W. WOOD jan4-34-y

WRIGHT & ROBINSON,

House, Sign, Ship, Coach and Ornamental Painters,
(Imitations of Wood and Marble executed with neatness and dispatch.)
jy13-9f HONOLULU, OAHU, H. I.

BOWLIN & CARTWRIGHT,

Dealers in General Merchandise,
jy13-9y LAHAINA, MAUI, H. I.

RICH'D H. BOWLIN, ALFRED D. CARTWRIGHT

ALPHEO & AHOYONG,

(Known as the firm of Hopwa & Co.)
Bread and Biscuit Bakers; Dealers in General Merchandise, &c.,
jy13-6m HONOLULU, H. I.

BENJAMIN PITMAN,

DEALER IN SHIP CHANDLERY,
General Merchandise and Hawaiian Produce, Byron's Bay, Hilo, Hawaii, has constantly on hand for sale, a general assortment of Merchandise usually required by whalers touching at these islands for recruits.

* Money advanced on liberal terms for Bills of Exchange on the United States, England and France.

my 19-y

D. N. FLITNER,

(SUCCESSOR TO MR. E. H. BOARDMAN.)
Continues to repair CHRONOMETERS, at the old stand; accurate rates determined by frequent observations with a Transit Instrument, made by "Roskell," Liverpool.

* Particular attention given to fine WATCH REPAIRING.
dec. 8. 30-y.

S. H. WILLIAMS & CO.,

Importers of American and European Goods, will keep constantly on hand a general assortment of Merchandise, adapted to the markets of Oregon, California and the Hawaiian Islands. A general assortment of Ship Chandlery and Provisions required by whalers touching at this port for recruits, on hand, which will be supplied on liberal terms for cash, or Bills of Exchange. my19-y

THE UNDERSIGNED hereby caution-

All persons against trespassing in any manner upon his estate at Polua salt works, on pain of being proceeded against according to Law.

C. W. VINCENT
Nov. 10, 1849-26-f

IN THE LARGE COMMODIOUS CELLAR

Under the house of Theo. Shillaber, Esq.
Apply to EVERETT & CO.
jy14-9f

HOLLOW WARE,

OR CASKS ENAMELLED WARE, consisting of Round Boilers, Sauce Pans, Tea Kettles, Preserving Pans, Skillets, Griddles, Glue Pots, Frying Pans, &c., &c., received per Tsar, and for sale by EVERETT & CO.
22f

VALUABLE HOUSE AND LOT FOR SALE

The subscriber being about to leave this Kingdom, offers his Dwelling House and Lot for sale. The premises are situated in the business part of Honolulu, fronting on two streets, and have on them a well of excellent water, cook house, barn, &c. Also, a quantity of bearing Fruit Trees.

C. R. BISHOP, Agent.
MAR21-18m

NOTICE is hereby given that from and after

this date no horses, cattle, or other animals will be allowed to run at large on the plains of Kula or Kahua Waikiki. Animals running at large will be impounded.

By order of the Minister of the Interior.
Honolulu, May 4, 1850-51-f

NOTICE IS HEREBY GIVEN to appli-

cants for the purchase and leasing of Government lands, that the Legislature being now in session, attention to their numerous applications must be deferred for the present, until the more pressing business of the Government is disposed of.

By order of the Minister of the Interior.
my76-21f KEONI ANA.

MRS. ALEXANDER, DRESS-MAKER,

&c., (opposite the residence of Dr. R. W. Wood,) begs leave respectfully to inform the Ladies of Honolulu, and environs, that she has commenced business in the above premises, where she will be happy to receive orders for manufacturing every description of Ladies' Wearing Apparel; and she trusts, by assiduity and attention to her customers, combined with reasonable charges, to merit a share of their patronage.

[Apr24-50f

By Authority.

AN ACT ESTABLISHING A PENAL CODE.

(Continued from last week.)

CHAPTER XIV.—Burglary and House Breaking.

1. Whoever in the night breaks and enters the dwelling house of another with intent to commit murder, rape, arson, robbery, larceny or other felony, within the same; or by day or night enters the same with such intent, and in the night breaks with such intent any apartment thereof; or in the night enters the same with such intent and breaks out, or being an inmate therein, in the night breaks and enters, with such intent, any apartment thereof, without any right or authority to enter the same, at the time, is guilty of burglary, and shall be punished by fine and imprisonment at hard labor not to exceed one thousand dollars, nor more than ten years.

2. To constitute burglary it is not necessary that any crime within the meaning of the above section should be actually committed; but simply that the intent to commit some such crime should exist, either at the time of entry or breaking.

3. There are two kinds of breaking, actual and constructive. An actual breaking may be made,—

By breaking the substance of a door or window; as the glass, sash, panel or shutters;

By unfastening either and opening it; as by raising a latch and pushing open a door;

By merely opening either when closed but not fastened; as by raising a sash, window, or pushing open a door;

By entering a chimney; or by breaking the sides of an aperture so as to enlarge it and thereby enter;

By breaking, removing or opening the roof, wall, ceiling, floor or any defense or barrier against entry, which is a parcel of the dwelling house.

4. But the entering by any aperture found open is not a breaking; as by a hole in the roof or wall, other than a chimney, or by an open door or window. Neither is the opening of any window, door, or other aperture partly open, further than it was open before, in the manner in which it was intended by its construction to be opened, breaking.

5. A constructive breaking, is where an entrance is obtained,

By violence or by threats of injury to persons or property, or other intimidation, or by making frightful noises, using or showing dangerous weapons, attacks on the house or inmates and the like;

By fraud or trick, as by abuse of or under pretense of process or legal authority, or of business with one within; or by fraudulently persuading another to give admission; or by knocking or otherwise pretending a right or lawful occasion to enter;

By admission by an accomplice, in which case the entry is a breaking by both.

6. It is essential to burglary that there should be an entry, which may be made by introducing the hand, foot, finger, or any part of the body into the house or any apartment thereof entered; or by discharging or throwing any missile, or introducing any instrument or any part thereof into the same; provided that the missile or instrument be used as a means of committing or attempting to commit any offense enumerated in section first, and not merely as a means of breaking.

7. A house is not a dwelling house, in respect to burglary, unless it be occupied as such at the time of the breaking and entry. Provided, however, that a building may continue to be a dwelling house, when not used at the time for sleeping or lodging therein, if it has been previously so used by a person having a settled intention so to use it again, and doing such acts as continue his constructive occupancy.

8. A dwelling house, in respect to burglary, is the dwelling house of the person who occupies the same as such, himself personally, or by the members of his family, guests of his inn, his boarders, visitors, agents or servants, placed or continued therein by his authority. But where such member, guest, boarder, visitor, agent or servant is tenant for a term, or at will, or at sufferance, the dwelling house shall be considered as his.

9. The government, or any public or private corporation, may occupy a dwelling house by others, according to the same rules by which an individual may do so.

10. The breaking necessary to constitute burglary, may be on a different night from the entry.

11. Whoever commits burglary, armed with a dangerous weapon at the time of breaking, or entering, or at any time while he is within the house, where any person, not a party to the burglary, is then resident within the dwelling house, is guilty of aggravated burglary, and shall be punished by imprisonment at hard labor, in the discretion of the court, for life or any number of years.

12. Whoever in the night enters the dwelling house of another, even though he commit no breaking to obtain entry, with the intent to commit a felony within the same, where any person, not a party thereto is then resident within such house, such offender being armed with a dangerous weapon at the time of entering, or at any time while he is within such house, or committing an assault therein on any such resident person, or putting him in fear, shall be punished by imprisonment at hard labor not more than twenty years.

13. Where such offender is not so armed, and does not commit such assault or put any such resident person in fear, he shall be subject to punishment by imprisonment at hard labor not more than ten years.

14. Whoever in the day time commits a felony in any dwelling house, where any inmate, not a party thereto, is within such dwelling house, such offender being armed with a dangerous weapon at the time of entering, or at any time while he is within such house, or committing an assault on any such inmate, or putting him in fear, shall be punished by imprisonment at hard labor not more than ten years.

15. Whoever in the night or day time breaks and enters the dwelling house of another, and commits a felony therein, or with intent to commit a felony therein, though no person be within said dwelling house at the time, shall be punished by imprisonment at hard labor not more than five years.

16. Whoever in the night enters, or breaks and enters, the house of another, not being a dwelling house, or any office, counting room, shop, warehouse, store-house, workshop, factory or other enclosed and covered building used at the time for the deposit or safe keeping of property, or for the shelter, accommodation or employment therein of persons; or any meeting house, court house, academy or other buildings used for public purposes, the same not being a dwelling house, or any vessel, with intent to commit a felony therein, when any person not a party thereto, is within such house, office, counting room, shop, warehouse, storehouse, workshop, factory, meeting house, court house or other building or vessel having any right or authority to be therein, such offender being armed with a dangerous weapon at the time of breaking or entering, or at any time while he is therein, or committing an assault upon any person so therein, or putting him in fear, shall be punished by imprisonment at hard labor not more than twenty years.

17. Where no such person is within the house, building, structure or vessel at the time of entering or breaking in the night, or where such offender as is mentioned in the preceding section is not so armed and does not commit any such assault or put any such person in fear, he shall be subject to imprisonment at hard labor not more than ten years.

18. Whoever in the day time enters, or breaks and enters, the house of another, not being a dwelling house, or any house, building or structure described in section sixteen, or any vessel, with intent to commit a felony therein, when any person, not a party thereto, is therein, having any right or authority to be there, such offender being armed with a dangerous weapon at the time of breaking or entering, or at any time while he is therein, or committing an assault on any such inmate or putting him in fear, shall be punished by imprisonment at hard labor, not more than ten years.

19. Where no such person is within the house, building, structure or vessel at the time of entering or breaking in the day time; or where such offender as is mentioned in the preceding section is not so armed, and does not commit any such assault or put any such person in fear, he shall be subject to punishment by imprisonment at hard labor not more than five years.

CHAPTER XV.—Robbery.

1. Robbery is the stealing of a thing from the person of another or from his custody in his presence, by force or putting him in fear.

2. In order to constitute robbery, the force must be used, or the fear excited or taken advantage of, to prevent or overcome resistance, or to prevent or hinder the escape of the party robbed, or to prevent the conveying away, securing or guarding the subject of the larceny from being taken, or to induce the party robbed to surrender the same, or to prevent detection of the crime.

3. Though the taking be by force, yet if it be not with intent to steal, it is not robbery.

4. The taking of a thing from another by means of forcibly imprisoning him, or forcibly putting him under personal restraint or duress, until he shall surrender the same is robbery.

5. In order to render the taking through fear, where no violence is used, a robbery, it is requisite that the ground of fear should be adequate, and not merely trivial and frivolous.

6. An adequate cause of fear is such as would, under the same circumstances, cause fear in a person of ordinary firmness of like age, sex and state of health, and induce such a person to part with property, to avoid the apprehended injury or danger; or such as the taker of the thing believes, or has reason to believe will cause, and such as does in fact cause, such degree of fear.

7. Whether the robber obtains the thing stolen through the influence of fear excited by words, menacing gesture, the presenting of a weapon, or other act causing fear, it will equally, in either case be robbery.

8. Robbery by one armed with a dangerous weapon with intent, if resisted, to kill, maim, wound or inflict other severe corporal injury upon the person robbed; or where being so armed, the robber, in committing the offense, wounds, or strikes or inflicts other severe injury upon the person robbed, or any other person, is robbery in the first degree; and all other robbery is such in the second degree.

9. Any person committing a robbery, be-

ing armed with a dangerous weapon, shall be presumed to be so armed, with the intent specified in the preceding section.

10. Whoever commits robbery in the first degree, shall be punished by imprisonment at hard labor for life or any number of years in the discretion of the court.

11. Whoever commits robbery in the second degree, shall be punished by imprisonment at hard labor not more than twenty years.

CHAPTER XVI.—Larceny.

1. Larceny or theft is the feloniously taking any thing of marketable, saleable, assignable or available value, belonging to or being the property of another.

2. It is enough if the thing taken is of any pecuniary value, or valuable or economical utility, though it be not of any value to sell.

3. In order to be the subject of larceny, a thing must be moveable, or such that it can be removed.

4. Any part of real estate that is moveable, or can be detached, severed, separated or removed from the real estate of which it is a part, may be the subject of larceny.

5. In order to be the subject of larceny, a thing must be the subject of property and possession.

6. Domestic animals of value are the subjects of larceny, though not at the time within the actual keeping or control of the owner, or of any one for him. For instance, estrays and cattle ranging the commons or mountains of the islands.

7. Animals whether those living in air, or aquatic or amphibious, of species not usually domesticated are subjects of larceny when in the custody, possession and control of the owner, or of any one for him, and are distinguishable as being, or known by the taker to be, so in the owner's possession, custody or control. For instance, fish in ponds, or particular creeks or portions of the sea, doves in a dove cote.

8. Any writing of value may be the subject of larceny. For instance, a promissory note, bill of exchange or other bill, order, certificate, bond, book of accounts; a deed or any written or printed conveyance of land; any award of the land commission, or other evidence of title to real or personal property; any contract remaining in force; a receipt, discharge, writ or process; any commission conferring a right, privilege, claim or liability upon another; a record or journal of the acts or proceedings of any judicial court, court of impeachment, or of the Legislature, Privy Council or any public corporation; or any record of any public office.

9. Where no one can be benefited by a writing,